

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth M. Adams et al.

Examiner: Mary C. Hoffman

Serial No.: 10/657,915

Group Art Unit: 3733

Filed: September 9, 2003

Docket: M190.145.101 / P0000263.00 US

Due Date: June 24, 2008

Title: SURGICAL MICRO-BURRING INSTRUMENT AND METHOD OF
PERFORMING SINUS SURGERY

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated January 24, 2008, rejecting claims 1-13, 15-24, and 31-36. The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

(a) Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees 37 C.F.R. 1.17(a)(1)-1.17(a)(5) for the total number of months checked below:

one month
(\$120.00)

two months
(\$450.00)

three months
(\$1,020.00)

four months
(\$1,595.00)

The extension fee has already
been filed in this application.

(b) Applicant believes that no Extension of Time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition and fee for Extension of Time.

Please charge Deposit Account No. 50-0471 in the amount of **\$960.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-0471 pursuant to 37 C.F.R. 1.25.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this communication should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Notice of Appeal

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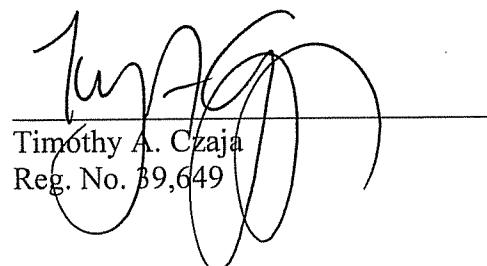
Customer No. 63496

Respectfully submitted,

Kenneth M. Adams et al.,

By their attorneys,

Date: June 20, 2003
TAC:jms



Timothy A. Czaja
Reg. No. 39,649